



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,420	03/31/2004	Erik D.N. Monsen	F-803	5680
919 7590 05/18/2009 PITNEY BOWES INC. 35 WATERVIEW DRIVE MSC 26-22 SHELTON, CT 06484-3000				
EXAMINER SALLARD, SHANNON S				
ART UNIT PAPER NUMBER 3628				
NOTIFICATION DATE DELIVERY MODE 05/18/2009 ELECTRONIC				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

iptl@pb.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/814,420
Filing Date: March 31, 2004
Appellant(s): MONSEN ET AL.

Ronald Reichman
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03 February 2009 appealing from the Office action mailed 06 October 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,430,543	LEE et al	08-2002
US 2002/0026430	RYAN, Jr.	02-2002

US 2002/0010687	GAWLER	01-2002
6,463,354	PINSTOV	10-2002
US 2003/0101147	MONTGOMERY	05-2003
5,153,842	DLUGOS et al	10-1992

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, 6, 8, 10, 12-15, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al [US 6,430,543] in view of Ryan, Jr. [US 2002/0026430], Gawler [US 2002/0010687], and Pinstov [US 6,463,354].

As per **claim 1**, Lee et al discloses (a) placing an identification code on individual mail pieces with a postage meter at a location other than the post office, wherein the identification code identifies the sender of the mail piece and uniquely identifies individual mail pieces [col 3, lines 19-25; col 5, lines 32-45]; (b) placing the identification codes of the mail pieces in a manifest [col 4, lines 20-44]; (c) transmitting the identification codes to a data center [col 4, lines 20-27]; (d) depositing one or more mail pieces with the post office at the post office or at a location other than the post office

[col 3, lines 21-25]; (e) attempting reading by the post office at a location other than the post office or at the post office the identification codes in the manifest ; (f) attempting reading by the post office at a location other than the post office or at the post office the identification code that is on one more mail pieces [col 5, lines 48-57]; (g) retrieving the identification codes from the data center and the identification codes read by the post office [col 5, line 64 – col 6, line 9]. Lee et al does not explicitly disclose depositing the manifest with the post office at the post office or at a location other than the post office. However, Lee et al discloses a printing a hard copy of the secure electronic manifest to be conveyed [col 4, lines 20-30]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Lee et al to include disclose depositing the manifest with the post office at the post office or at a location other than the post office for redundancy purposes.

While Lee et al discloses placing an identification code on individual mail pieces with a postage meter [col 3, lines 19-25; col 5, lines 32-45], Lee et al does not disclose wherein the identification code identifies a service requested for the mail piece. However, Ryan, Jr. discloses placing an identification code on a mail piece with a postage meter wherein the identification code identifies a service requested for the mail piece [0029; variable indicium on mail piece includes an indication of service class]. It would have been obvious to one of ordinary skill in the art to include in the postage system of Lee et al the ability to print an identification code that identifies a service requested for the mail piece as taught by Ryan, Jr. since the claimed invention is merely a combination of old elements, and in the combination each element merely would have

performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Lee et al does not further disclose (h) notifying the postage meter that individual identification codes have been received by the data center and individual mail pieces identification codes have been read or not read by the post office. However, Gawler discloses a mail preparation system that includes a PSD and computer for printing postage indicia on a mail piece wherein the preparation system receives an acknowledgment message that the postal authority has received information regarding individual mail items and when the postal authority has collected and inducted the mail items, the postal authority sends an acceptance message to the mail preparation system [0042; 0048; 0056; 0068-0073]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Lee et al to include the method disclosed by Gawler. Gawler provides the motivation that it is desirable to be able to determine the stage reached by any batch of mail and to check that there has not been a failure in the communication of any of the messages [0075].

While Lee et al, Ryan, Jr. and Gawler discloses placing an identification code on a mail piece with a postage meter wherein the identification code identifies a service requested for the mail piece [Ryan, Jr: 0029; variable indicium on mail piece includes an indication of service class], Lee et al, Ryan, Jr. and Gawler do not further disclose further including the step of: printing at the postage meter a certificate indicating the identification code that has been read by the post office and the service requested for the mail piece. However, Pinstov discloses sending data, indicating that an identification

code has been read by the post office [col 5, lines 14-25; 40-50]. It is known that data sent to a computer may be printed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Lee et al and Gawler to include the method disclosed by Pintov and to include printing for legal verification.

As per **claim 2**, Lee et al further discloses wherein the postage meter is an electronic postage meter [col 3, lines 19-25].

As per **claim 3**, Lee et al does not further disclose wherein the postage meter is a computer postage meter with a secure storage device. However, Gawler discloses that the postage meter is a computer with a PSD [0042; 0056]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include the method disclosed by Gawler to perform accounting in respect to the dispensing of postage charges [0042].

As per **claim 5**, Lee et al, Ryan, Jr. and Gawler do not further disclose further including the step of: printing on the certificate the date the mail piece was read. However, Pintov discloses a sending data, indicating that an identification code has been read by the post office [col 5, lines 14-25; 40-50]. It is known that data sent to a computer may be printed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include the method disclosed by Pintov and to include printing for legal verification.

As per **claim 6**, Lee et al, Ryan, Jr. and Gawler do not further disclose further including the step of: printing on the certificate the time the mail piece was read.

However, Pinstov discloses a sending data, indicating that an identification code has been read by the post office [col 5, lines 14-25; 40-50]. It is known that data sent to a computer may be printed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Lee et al and Gawler to include the method disclosed by Pintov and to include printing for legal verification.

As per **claim 8**, Lee et al further discloses wherein the identification code is a unique number [col 3, lines 19-25].

As per **claim 10**, Lee et al further discloses further including the steps of: (a) printing a postal indicia on the mail piece for the payment of postage and any related postal fees [col 5, lines 32-38]. Lee et al does not explicitly disclose (b) charging the postage meter for printing the postal indicia. However, Gawler discloses a PSD to perform accounting and dispensing of postal charges [0042]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Lee et al to include the method disclosed by Gawler to perform accounting [0042].

As per **claims 12-14**, Lee et al does not disclose further including the step of: notifying the mailer via telephone, e-mail, and/or fax that individual identification codes have been received by the data center, and individual mail pieces' identification codes have been read or not read by the post office. However, Gawler discloses notifying the mailer that a batch of mail has been received [0073]. Furthermore, notification by telephone, e-mail, and/or fax is commonly used in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the

invention of Lee et al to include notifying the mailer via telephone, e-mail, and/or fax that individual identification codes have been received by the data center, and individual mail pieces' identification codes have been read or not read by the post office. Gawler provides the motivation that it is desirable to be able to determine the stage reached by any batch of mail and to check that there has not been a failure in the communication of any of the messages [0075].

As per **claim 15**, Lee et al further discloses further including the steps of: identifying the mailer's reference number of the document contained in the mail piece [col 4, lines 31-49].

As per **claim 24**, Lee et al does not further disclose wherein the service requested is certified mail. However, Ryan, Jr. discloses placing an identification code on a mail piece with a postage meter wherein the identification code identifies the mail piece as certified mail [0029; variable indicium on mail piece includes an indication of service class]. It would have been obvious to one of ordinary skill in the art to include in the postage system of Lee et al the ability to print an identification code that identifies a service requested as certified mail as taught by Ryan, Jr. since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 7, 11, 17-19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al [US 6,430,543] in view of Ryan, Jr. [US 2002/0026430], Gawler [US 2002/0010687], and Pinstov [US 6,463,354] as applied to claim 1 above, and further in view of Montgomery et al [US 2003/0101147].

As per **claims 7, 16, and 17**, Lee et al, Ryan, Jr., Gawler, and Pinstov et al do not disclose further including the step of: printing at the postage meter a certificate indicating that the identification code has not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter and printing the mailer's reference number and name on the certificate of induction. However, Montgomery et al discloses printing information indicating that a particular mail piece has not been read after a certain time and identifying the mailer's reference number [0186, Table 3]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of the modified Lee et al to include printing at the postage meter a certificate indicating that the identification code has not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter so that a user is aware of the status of the mail piece.

As per **claim 11**, Lee et al, Ryan, Jr., Gawler, and Pinstov et al do not disclose further including the step of: refunding the postage meter account for part or all of the postage and fees that have been placed on mail pieces having identification codes that have not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter. However, Montgomery

et al discloses refunding a postage meter for fees that have been placed on a mail piece that has not been read [0187-0189]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include the method disclosed by Montgomery et al so that a user does not have pay for mail that does not reach its destination.

As per **claims 18, 19, and 21**, Lee et al, Ryan, Jr., Gawler, and Pinstov et al do not disclose further including the step of: (a) printing at the postage meter a certificate indicating that the identification code from the manifest that has been read by the post office; and (b) printing the mailer's reference number and name on the certificate of induction. However, Lee discloses sending a notification that a mail piece has been read to a user's computer [0042; 0048; 0056; 0068-0073]. It is old and well known for a user to print information from his/her computer. Furthermore, Montgomery discloses providing a mailer's reference number [0186, Table 3]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include the method disclosed by Montgomery et al so that a user can have a copy for his/her records.

Claims 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al [US 6,430,543] in view of Ryan, Jr. [US 2002/0026430], Gawler [US 2002/0010687], and Pinstov [US 6,463,354] as applied to claim 1 above, and further in view of Official Notice.

As per **claim 9**, Lee et al further discloses wherein the identification code comprises: the serial number of the postage meter, and the date that the identification code was affixed to the mail piece [col 5, lines 32-38]. Lee et al, Ryan, Jr., Gawler, and Pinstov et al does not disclose the identification code includes the time. However, the Examiner takes Official Notice that it is old and well known in the postage art at the time of the invention that the id code contains the time that the postage mark was affixed to a mail piece. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include the time for traceability.

As per **claim 20**, Lee et al, Ryan, Jr., Gawler, and Pinstov et al do not disclose wherein the identification code comprises: a United States Special Service Tracking Number. However, it is old and well known in the art at the time of the invention that United States Special Service Tracking Number are used as identification on mail pieces. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include wherein the identification code comprises: a United States Special Service Tracking Number for security purposes.

Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al [US 6,430,543] in view of Ryan, Jr. [US 2002/0026430], Gawler [US

2002/0010687], Pinstov [US 6,463,354], and Montgomery et al [US 2003/0101147] as applied to claim 21 above, and further in view of Dlugos, Sr. et al [U.S. 5,153,842].

As per **claims 22 and 23**, Lee et al, Ryan, Jr., Gawler, and Pinstov et al do not disclose further including the step of: printing at the postage meter the date and time the manifest has been read by the post office. However, Dlugos, Sr. et al discloses a postal carrier picks up a manifest and reads it and records the date and time [col 13, lines 34-50]. Furthermore, it is old and well known to print information displayed on a computer. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of modified Lee et al to include the method disclosed by Dlugos, Sr. et al for verification.

(10) Response to Argument

A. Claims 1-3, 5, 6, 8, 10, 12-15, and 24 have been rejected by the Examiner under 35 USC § 103 (a) over Lee et al (US Patent 6,430,543) in view of Ryan, Jr. (US Publication 2002/002643), Gawler (US Publication 2002/0010687) and Pinstov, Jr. (US Patent 6,463,354).

Appellant argues, "The art cited by the examiner do not disclose or anticipate a and i of claim namely (a) placing an identification code on individual mail pieces with a postage meter at a location other than the post office, wherein the identification code identifies a sender of the mail piece a service requested for the mail piece and uniquely identifies individual mail pieces; (i) printing at the postage meter a certificate indicating the identification code that has been read by the post office and the service requested

for the mail piece” However, Examiner disagrees. Lee et al discloses placing an identification code on individual mail pieces with a postage meter at a location other than the post office, wherein the identification code identifies the sender of the mail piece and uniquely identifies individual mail pieces [col 3, lines 19-25; col 5, lines 32-45]. Lee et al further discloses that a mailer ID is placed on the manifest [col 4, lines 30-49].

While Lee et al discloses placing an identification code on individual mail pieces with a postage meter [col 3, lines 19-25; col 5, lines 32-45], Lee et al does not disclose wherein the identification code identifies a service requested for the mail piece. However, Ryan, Jr. discloses placing an identification code on a mail piece with a postage meter wherein the identification code identifies a service requested for the mail piece [0029; variable indicium on mail piece includes an indication of service class].

While Lee et al, Ryan, Jr. and Gawler discloses placing an identification code on a mail piece with a postage meter wherein the identification code identifies a service requested for the mail piece [Ryan, Jr: 0029; variable indicium on mail piece includes an indication of service class], Lee et al, Ryan, Jr. and Gawler do not further disclose further including the step of: printing at the postage meter a certificate indicating the identification code that has been read by the post office and the service requested for the mail piece. However, Pinstov discloses sending data, indicating that an identification code has been read by the post office [col 5, lines 14-25; 40-50]. It is known that data sent to a computer may be printed.

In response to Appellant’s argument that the Examiner has not provided an articulated reason that would have prompted a person of ordinary skill in the relevant filed to combine elements in the way the claimed new invention does, Examiner asserts

that in the Final Rejection the provided motivation for combining each of the references with Lee et al. Specifically, in regards to the combination to yield the teachings of elements (a) and (i) of the claim, the Examiner provided the factual evidence found in Pinstov. Pinstov discloses sending data, indicating that an identification code has been read by the post office [col 5, lines 14-25; 40-50]. Further, the Examiner stated, " It is known that data sent to a computer may be printed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Lee et al and Gawler to include the method disclosed by Pintov and to include printing for legal verification."

B. Claims 7, 11, 17-19, and 21 have been rejected by the Examiner under 35 USC § 103 (a) over Lee et al in view of Ryan (US Publication 2002/002643), Gawler and Pinstov (US Patent 6,463,354), and in further view of Montgomery (US Publication 2003/0101147).

Claim 7

Appellant argues, "The art cited by the Examiner do not disclose or anticipate printing at the postage meter a certificate indicating that the identification code and the service request has not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter." First the Examiner notes that the Appellant is arguing the references individually. Specifically, the Examiner articulated in the rejection of claim 1, the reasoning that

printing a certificate of induction was obvious. Furthermore, Montgomery discloses, "At steps 1222 and 1224, the centralized postage-issuing computer system 386 receives the confirmatory delivery status information from the master tracking computer system 310 and updates the delivery status within the stored postage transaction information with the confirmatory delivery status information. In particular, the communications interface 1222, under control of the communications module 1234, receives the confirmatory delivery status information over the communications link 396 (step 1222). The database management module 1136 then updates the delivery status within the postage database 1130 (step 1224). If the confirmatory delivery status information indicates that the mail piece carrying the tracking ID has been delivered, the delivery status associated with that tracking ID will be updated as delivered. **If the confirmatory delivery status information indicates that the mail piece carrying the tracking ID has not been delivered, the delivery status associated with that tracking ID will be updated as not delivered.**" [0186]. Thus, combining teachings from the rejection of claim 1 with Montgomery, yield the Applicant's invention of "printing at the postage meter a certificate indicating that the identification code and the service request has not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter".

Claim 11

Appellant argues, "The art cited by the Examiner does not disclose or anticipate refunding the postage meter account for part or all of the postage and fees that have

been placed on mail pieces having identification codes that have not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter.” First the Examiner notes that the Appellant is arguing the references individually. Specifically, the Examiner articulated in the rejection of claim 1, the reasoning that printing a certificate of induction was obvious. Furthermore, Montgomery teaches updating the status of the mail piece to unread if the mail piece was not read after a certain period of time [0186] (as discussed above with respect to the rejection of claim 7). Moreover, Montgomery et al discloses refunding a postage meter for fees that have been placed on a mail piece that has not been read [0187-0189]. Thus, combining teachings from the rejection of claim 1 with Montgomery, yield the Applicant's invention of “refundng the postage meter account for part or all of the postage and fees that have been placed on mail pieces having identification codes that have not been read by the post office after a certain period of time has elapsed after the data center has received the identification code from the meter.”

Claim 17

Appellant argues, “The art cited by the Examiner does not disclose or anticipate printing the mailer's name on the certificate of induction as claimed in claim 17.” First the Examiner notes that the Appellant is arguing the references individually. Specifically, the Examiner articulated in the rejection of claim 1, the reasoning that printing a certificate of induction was obvious. Furthermore Montgomery discloses,

"The use of an tracking ID as an indexing identifier not only allows the postal service to validate the postage on mail pieces that bear the tracking ID, it provides the recipient of the mail piece a means for verifying that the mail piece was sent from a trusted individual. Referring to FIGS. 34 and 35, a means is provided for allowing a mail recipient to enter a tracking number (FIG. 34) and obtaining identification information concerning the sender of the **mail piece bearing the tracking number (such as, e.g., the name of the sender**, employer of sender, if applicable, and the address and zip code of the sender) and related postage information (such as, e.g., the date the mail piece was sent, the weight of the mail piece, mail class, etc.) (FIG. 35). The centralized postage-issuing computer system 356 illustrated in FIG. 17, and a mail recipient computer 378 illustrated in FIG. 36 are used to perform this process." [0159].

Montgomery also discloses, "**If the confirmatory delivery status information indicates that the mail piece carrying the tracking ID has not been delivered, the delivery status associated with that tracking ID will be updated as not delivered.**" [0186]. Thus, combining teachings from the rejection of claim 1 with Montgomery, yield the Applicant's invention of "printing the mailer's name on the certificate of induction".

Claim 18

Appellant argues, "The art cited by the Examiner does not disclose or anticipate printing at the postage meter a certificate indicating that the identification code has been read by the post office; and (b) printing the mailer's reference number on the certificate

of induction as claimed in claim 18." First the Examiner notes that the Appellant is arguing the references individually. Specifically, the Examiner articulated in the rejection of claim 1, the reasoning that printing a certificate of induction was obvious. Furthermore Montgomery discloses, "The use of an tracking ID as an indexing identifier not only allows the postal service to validate the postage on mail pieces that bear the tracking ID, it provides the recipient of the mail piece a means for verifying that the mail piece was sent from a trusted individual. Referring to FIGS. 34 and 35, a means is provided for allowing a mail recipient to enter a tracking number (FIG. 34) and obtaining identification information concerning the sender of the **mail piece bearing the tracking number (such as, e.g., the name of the sender**, employer of sender, if applicable, and the address and zip code of the sender) and related postage information (such as, e.g., the date the mail piece was sent, the weight of the mail piece, mail class, etc.) (FIG. 35). The centralized postage-issuing computer system 356 illustrated in FIG. 17, and a mail recipient computer 378 illustrated in FIG. 36 are used to perform this process." [0159]. Montgomery also discloses, "**If the confirmatory delivery status information indicates that the mail piece carrying the tracking ID has not been delivered, the delivery status associated with that tracking ID will be updated as not delivered.**" [0186]. Thus, combining teachings from the rejection of claim 1 with Montgomery, yield the Applicant's invention of "printing at the postage meter a certificate indicating that the identification code has been read by the post office; and (b) printing the mailer's reference number on the certificate of induction".

Claim 19

Appellant argues, "The art cited by the Examiner does not disclose or anticipate printing the mailer's name on the certificate of induction as claimed in claim 19." First the Examiner notes that the Appellant is arguing the references individually. Specifically, the Examiner articulated in the rejection of claim 1, the reasoning that printing a certificate of induction was obvious. Furthermore Montgomery discloses, "The use of an tracking ID as an indexing identifier not only allows the postal service to validate the postage on mail pieces that bear the tracking ID, it provides the recipient of the mail piece a means for verifying that the mail piece was sent from a trusted individual. Referring to FIGS. 34 and 35, a means is provided for allowing a mail recipient to enter a tracking number (FIG. 34) and obtaining identification information concerning the sender of the **mail piece bearing the tracking number (such as, e.g., the name of the sender**, employer of sender, if applicable, and the address and zip code of the sender) and related postage information (such as, e.g., the date the mail piece was sent, the weight of the mail piece, mail class, etc.) (FIG. 35). The centralized postage-issuing computer system 356 illustrated in FIG. 17, and a mail recipient computer 378 illustrated in FIG. 36 are used to perform this process." [0159]. Montgomery also discloses, "**If the confirmatory delivery status information indicates that the mail piece carrying the tracking ID has not been delivered, the delivery status associated with that tracking ID will be updated as not delivered.**"

[0186]. Thus, combining teachings from the rejection of claim 1 with Montgomery, yield the Applicant's invention of "printing the mailer's name on the certificate of induction".

Claim 21

Appellant argues, "The art cited by the Examiner does not disclose or anticipate printing at the postage meter a certificate indicating the identification codes from the manifest have been read by the post office." First the Examiner notes that the Appellant is arguing the references individually. Furthermore, Lee discloses sending a notification that a mail piece has been read to a user's computer [0042; 0048; 0056; 0068-0073]. It is old and well known for a user to print information from his/her computer. Also, Montgomery discloses providing a mailer's reference number [0186, Table 3].

C. Claims 9 and 20 have been rejected by the Examiner under 35 USC § 103 (a) over Lee et al in view of Ryan (US Publication 2002/002643), Gawler, Pinstov (US Patent 6,463,354), and in further view of Official Notice.

Claims 9 and 20 depend from claim 1 and as such contain all the limitations of claim 1. The Appellant has not argued the rejection of claims 9 and 20 separately. Accordingly, the rejections of claims 9 and 20 should be upheld based on the rejections of claim 1.

D. Claims 22 and 23 have been rejected by the Examiner under 35 USC § 103 (a) over Lee et al in view of Ryan (US Publication 2002/002643), Gawler, Montgomery, Pinstov, and further in view of Dlugos (US Patent 5,153,842).

Claims 22 and 23 depend on claim 21, which depends on claim 1, and as such contain all the limitations of claims 1 and 21. The Appellant has not argued the rejection of claims 22 and 23 separately. Accordingly, the rejections of claims 22 and 23 should be upheld based on the rejections of claim 1 and 21.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Shannon S Saliard/

Examiner, Art Unit 3628

Conferees:

John Hayes, SPE 3628

/John W Hayes/
Supervisory Patent Examiner, Art Unit 3628

Vincent Millin /vm/

Appeals Practice Specialist